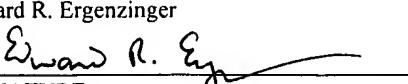
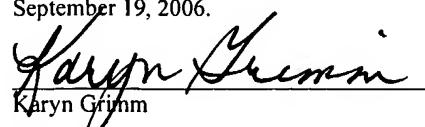


|  |  |  |
|--|--|--|
| U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE<br>FORM PTO-1390<br>(REV. 7-05)  |  | ATTORNEY'S DOCKET NUMBER<br>051009/309226                        |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371   |  | U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)<br>10/573,212 |
| INTERNATIONAL APPLICATION NO.<br>PCT/JP2004/014220   | INTERNATIONAL FILING DATE<br>29 SEPTEMBER 2004 | PRIORITY DATE CLAIMED<br>29 SEPTEMBER 2003                       |
| TITLE OF INVENTION<br>ENDOTOXIN-NONRESPONSIVE MODEL ANIMAL   |  |  |
| APPLICANT(S) FOR DO/EO/US<br>Shizuo Akira, Masahiro Yamamoto   |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |  |
| <p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). This submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input type="checkbox"/> A English language translation of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> |  |  |
| Items 11. To 20. below concern document(s) or information included:  |  |  |
| <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</p> <p><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Copy of Notification of Missing Requirements (2 pp.); Copy via PAIR of Transmittal, Declaration and surcharge filed August 28, 2006 (4 pp.); copy of receipt-stamped postcard (1 p.).</p>  |  |  |

|  |   |  |                          |
|--|---|--|--------------------------|
| U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50)<br>10/573,212  | INTERNATIONAL APPLICATION NO.<br>.PCT/JP2004/014220 | ATTORNEY'S DOCKET NUMBER<br>051009/309226  |                          |
| <input type="checkbox"/> The following fees have been submitted:   |   |  |                          |
| 21. <input type="checkbox"/> Basic national fee  |   |  |                          |
| 22. <input type="checkbox"/> Examination fee<br>(If the written opinion prepared by ISA/US or the international preliminary examination report prepared by the IPEA/US indicates all claims satisfy provisions of PCT Article 33(1-4). \$ 0<br>All other situations..... \$200   |   |  |                          |
| 23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))<br>If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). \$ 0<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application<br>to the USPTO as an International Searching Authority ..... \$100<br>International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$400<br>All other situations ..... \$500 |   |  |                          |
| <b>TOTAL OF 21, 22 and 23</b> =  |   |  |                          |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.492(j))<br>The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.  |   |  |                          |
| Total Sheets   | Extra Sheets  | Number of each additional 50 or fraction thereof (round up to a whole number)  | Rate                     |
| - 100 =  | /50=  |  | x \$250                  |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration later the date of commencement of the national stage (37 CFR 1.492(h)).  |   |  | <b>\$130.00</b>          |
| CLAIMS   | NUMBER FILED  | NUMBER EXTRA   | RATE                     |
| Total Claims   |   | 0  | X \$ 50.00               |
| Independent Claims   |   | 0  | X \$200.00               |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |   |  | + \$360.00               |
| <b>TOTAL OF ABOVE CALCULATIONS</b> =   |   |  | <b>\$130.00</b>          |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |   |  |                          |
| <b>SUBTOTAL</b> =  |   |  | <b>\$130.00</b>          |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).  |   |  |                          |
| <b>TOTAL NATIONAL FEE</b> =  |   |  | <b>\$130.00</b>          |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +   |   |  |                          |
| <b>TOTAL FEES ENCLOSED</b> =   |   |  | <b>\$130.00</b>          |
| --   |   |  | Amount to be Refunded \$ |
| --   |   |  | Amount to be Charged \$  |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.<br>b. <input type="checkbox"/> Please charge my Deposit Account No. 16-0605 in the amount of \$ _____ to cover the above fees.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-0605.   |   |  |                          |
| Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.   |   |  |                          |
| SEND ALL CORRESPONDENCE TO:<br>Edward R. Ergenzinger<br>  |   | CERTIFICATE OF MAILING   |                          |
| SIGNATURE<br>REGISTRATION NUMBER 47,549<br>ALSTON & BIRD LLP<br>Bank of America Plaza<br>101 South Tryon Street, Suite 4000<br>Charlotte, NC 28280-4000<br>Tel Raleigh Office (919) 862-2200<br>Fax Raleigh Office (919) 862-2260<br>Customer Number 00826   |   | I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PCT (DO/US), Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 19, 2006.<br><br>Karyn Grimm |                          |

EE



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

|                               |                       |                  |
|-------------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO.   | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/573,212                    | Akira                 | 051009309226     |
| INTERNATIONAL APPLICATION NO. |                       |                  |
| PCT/JP04/14220                |                       |                  |
| I.A. FILING DATE              |                       | PRIORITY DATE    |
| 09/29/2004                    |                       | 09/29/2003       |
| CONFIRMATION NO. 5003         |                       |                  |
| 371 FORMALITIES LETTER        |                       |                  |
| <br>*OC000000020298324*       |                       |                  |

Date Mailed: 09/05/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/26/2006
- English Translation of the IA filed on 03/26/2006
- Copy of the International Search Report filed on 03/26/2006
- Information Disclosure Statements filed on 03/26/2006
- Request for Immediate Examination filed on 03/26/2006
- U.S. Basic National Fees filed on 03/26/2006
- Priority Documents filed on 03/26/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

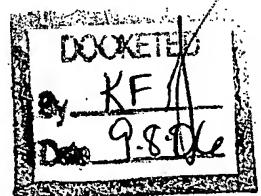
**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

*A copy of this notice **MUST** be returned with the response.*

ALSTON & BIRD  
 RTA  
 RECEIVED 9-11-06 A&L



LAMONT M HUNTER

---

Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

---

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/573,212                  | PCT/JP04/14220                | 051009309226     |

FORM PCT/DO/EO/905 (371 Formalities Notice)

**Best Available Copy**

---

Mail Stop PCT (DO/US)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date Mailed: August 25, 2006  
Atty. Dkt. No. 051009/309226

U.S. Application No. 10/573,212; Int'l Appl. No. PCT/JP2004/014220; Int'l Filing Date  
September 29, 2004  
Inventors: Akira et al. Title of Invention: ENDOTOXIN-NONRESPONSIVE MODEL  
ANIMAL  
Documents Enclosed: Transmittal (2 pp.); Declaration (2 pp.).

Check Enclosed \$130.00

Please place office stamp hereon and Return Postcard to: Edward R. Ergenzinger/kg  
ALSTON & BIRD LLP

IAP7 Rec'd PCT/PTO 28 AUG 2006

Best Available Copy